

FILED
AUG 15 2013

UNITED STATES BANKRUPTCY COURT
FOR THE MARYLAND DISTRICT
BALTIMORE DIVISION

IN RE: MICHAEL A. MCNEIL

Debtor

* CASE NO. 12-18903-DER
* CHAPTER 7
* Adv. Pro. No. 12-0829-DER

MICHAEL A. MCNEIL

Plaintiff

v.

V. PETER MARKUSKI, JR.,

Defendant

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APPELLANT'S STATEMENT OF ISSUES ON APPEAL
&
DESIGNATION OF THE RECORD

NOW COMES Michael A. McNeil, the Plaintiff/Debtor pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure (FRBP) hereby identify the issue on appeal of the ORDER GRANTING MOTION TO DISMISS (ECF 16) by Judge Rice which was docketed on July 30, 2013 and designation of the record.

STATEMENT OF ISSUE ON APPEAL

Did the trial court error when it Dismissed the Plaintiff's complaint concerning the dischargability, priority, and extent of a claim of a debt for failure to state a claim, since it reasoned that nothing precluded application of the doctrines of res judicata or collateral estoppel at this stage in an adversary proceeding with respect to matters already litigated

between these parties in the main bankruptcy where the dischargability of a debt was determined even though the FRBP Rule 7001 mandates that dischargability, priority, and extent of a claim of a debt of a debt can only be determined via an adversary proceeding?

DESIGNATION OF THE RECORD

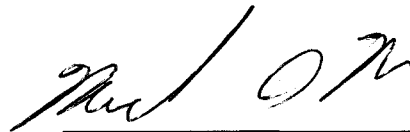
Complaint filed on December 6, 2012 (Document #1)

Motion to Dismiss Adversary Proceeding filed on January 4, 2013 (Document #7)

Opposition filed on January 8, 2013 (Document #8)

Order on Motion to Dismiss Adversary Proceeding filed on July 30, 2013 (Document #16)

Notice of Appeal filed on August 13, 2013 (Document #18)



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 2013 I mailed a copy of the of the aforementioned via First Class, United States Mail, postage fully prepaid to the following:

Jeffrey Wayne Bernstein
Goozman, Bernstein, et al.
9101 Cherry Lane
Suite 207

U.S. Trustee's Office
101 W. Lombard St.
Suite 2625
Baltimore, MD 21201

Laurel, MD 20708

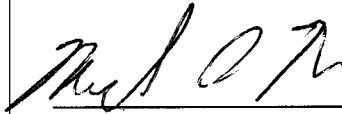
Evan M. Goldman

Goldman & Goldman, P.A.

Foxleigh Building

2330 West Joppa Road, Suite 300

Lutherville, MD 21093

A handwritten signature in black ink, appearing to read "Michael A. McNeil", written over a horizontal line.

Michael A. McNeil "Pro Se"